

05-31-01

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Practitioner's Docket No. 791\_146 (CIP)

PATENT

## NEW APPLICATION TRANSMITTAL

Box Patent Application  
 Assistant Commissioner for Patents  
 Washington D.C. 20231

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231 on May 30, 2001 under "EXPRESS MAIL" mailing label number EL 80316 4800 US.

*Janet M. Stevens*  
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Transmitted herewith for filing is the patent application of:

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 Narumi-cho, Midori-ku  
 Nagoya-city, Aichi-prefecture  
 458-0827 JAPAN



Title: LITHIUM SECONDARY BATTERY

## 1. Type of Application

This is a request for filing a CONTINUATION-IN-PART APPLICATION under 37 C.F.R. §1.53(b), of pending prior application:

Serial No.: 09/114,323      Prior Art Unit: 1741  
 Filed: July 13, 1998      Prior Examiner: Jonathan S. Crepeau  
 Title: LITHIUM SECONDARY BATTERY  
 Inventors: Hiroshi NEMOTO, Teruhisa KUROKAWA and Kenshin KITO.

## 2. Papers enclosed

## A. Required for filing date under 37 CFR 1.53(b) (Regular) are:

- 8 Page(s) of Specification
- 3 Page(s) of Claims
- 1 Page(s) of Abstract
- 2 Sheets of Formal Drawings (Figs. 1-3)

09870372 053001

**B. Other Papers Enclosed**

- ☒ A Patent Application Bibliographic Data  
☐ A Preliminary Amendment

**3. Additional Papers to Follow Under Separate Cover**

- ☒ A combined Declaration and Power of Attorney  
☒ An Assignment Transmittal and Assignment of the invention to  
NGK Insulators, Ltd.  
☒ An Information Disclosure Statement  
☒ PTO Form-1449

**4. The correspondence address for this application is:**

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**5. Relate Back****A. 35 U.S.C. 119(e)**

- ☐ Priority of provisional application Serial No. , filed , is hereby claimed under 35 U.S.C. §119(e).

**B. 35 U.S.C. 120, 121 and 365(c)**

- ☒ Priority of said prior application 09/114,323, filed July 13, 1998, is hereby claimed under 35 U.S.C. §120.

**C. 35 U.S.C. 119 Priority Claim for Prior Application**

- ☒ Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

Japanese Application 9-202963 filed July 29, 1997  
 Japanese Application 9-331537 filed December 2, 1997

- ☒ Certified copies of the above corresponding foreign applications were filed in prior application Serial No. 09/114,323.  
☐ A certified copy of the above corresponding foreign application is filed herewith.

**6. ☐ Amend the specification by inserting after the title and before the first line the sentence:**

09/114,323-053001  
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## 7. Small Entity Status

☐ Applicant(s) claim(s) small entity status. See 37 CFR § 1.27.

## 8. Inventorship Statement

The inventorship for all the claims in this application are:

[X] the same.

[ ] not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

[ ] is submitted.

[ ] will be submitted.

**9. The filing fee has been calculated as shown below:**

### A. Filing Fee

[x] Original Patent Application

(37 C.F.R. 1.16(a) --\$710.00; Small Entity--\$355.00)

\$ 710.00

**B. Fees for Claims (19 Claims; 2 Indep.)**

[ ] each independent claim in excess of 3

(37 C.F.R. 1.16(b))--\$80.00; small entity--\$40.00)

\$ .00

[ ] each claim in excess of 20

(37 C.F.R. 1.16(c)--\$18.00; small entity--\$9.00)

\$ .00

☐ multiple dependent claim(s)

(37 C.F.R. 1.16(d))--\$270.00; small entity--\$135.00)

\$ .00

### C. Surcharge fees

[x] late payment of filing fee

(37 C.F.R. 1.16(c)--\$130.00; small entity--\$65.00)

\$ 130.00

and/or

**[x] late filing of original declaration or oath**

(37 C.F.R. 1.16(e))--\$130.00; small entity--\$65.00)

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**NOTE:** If both the filing fee and declaration or oath were missing from the original papers, only one surcharge fee for both need be paid. 37 C.F.R. 1.16(e).

D. ☐ Fee for processing an application filed with a specification in a non-English language

(37 C.F.R. 1.17(k) and 1.52(d))--\$130.00)

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E. ☐ Assignment Fee

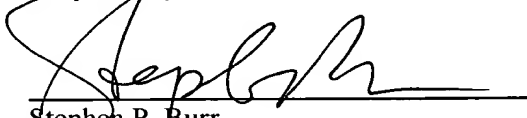
\$ 40.00

**Total Fees Due        \$     880.00**

**10. Payment of Fees and Authorization to Charge Additional Fees  
or Credit Overpayment**

- ☐ A check in the amount of is enclosed.
- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446. A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 CFR 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

  
\_\_\_\_\_  
Stephen P. Burr  
Reg. No. 32,970

May 30, 2001  
Date

SPB:jms

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